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REPRO MEDIA and ARNO RUBEN

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

LEE LAHTINEN in his capacity as Trustee
of the SAN FRANCISCO
LITHOGRAPHERS PENSION TRUST,

Plaintiff,

v.

REPRO MEDIA, a California Corporation;
ARNO RUBEN, individually and doing
business as REPRO MEDIA; ARNO
RUBEN, individually,

Defendants.

Case No. C 06 4047 (MEJ)

**STIPULATION AND [PROPOSED]
ORDER SETTING ASIDE ENTRY OF
DEFAULT**

[Fed. R. Civ. P. 55(c)]

Judge: Honorable Maria Elena James
Ctmm: B, 15th Floor

Plaintiff Lee Lahtinen, in his capacity as Trustee of the San Francisco Lithographers Pension Trust ("Plaintiff"), and Defendants Repro Media, a California Corporation, Arno Ruben, individually and doing business as Repro Media, and Arno Ruben, individually ("Defendants"), through their respective counsel, hereby stipulate to and request that the Court order that the Clerk's Entry of Default in this action be set aside.

1. This is an action under sections 502 and 4301 of the Employee Retirement Income Security Act of 1974, as amended (ERISA), 29 U.S.C. §§ 1132, 1451, and § 301 of the Labor Management Relations Act (LMRA), 29 U.S.C. § 185. Plaintiff assessed pension withdrawal liability against Defendants and is seeking to recover said withdrawal liability.

2. The Complaint in this action was filed and summonses were issued against the named Defendants on June 29, 2006.

3. Plaintiff maintains that it served Defendants on July 13, 2006 at the corporation's address obtained from the Secretary of State. Proofs of service of the Summons and Complaint were filed with the Court on July 24, 2006 and July 25, 2006. Defendants' answer was due August 2, 2006. Since an answer had not been filed, Plaintiff filed a request for entry of default and said default was entered by the Clerk of the Court on August 2, 2006.

4. Defendants maintain that the 205 DeAnza Boulevard address is a contract mail service. Defendants maintain that they did not receive the Summons and Complaint, and that no notice of delivery of any such documents was left in the mailbox for Repro Media as is the practice where documents are left at the front desk.

5. Defendants maintain that they had no notice of this action until they received the Plaintiff's request for entry of default on or about August 7, 2006.

6. Defendants wish to answer the Complaint and to assert affirmative defenses to the claims alleged by Plaintiff.

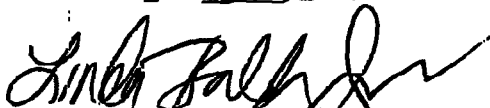
Therefore, Plaintiff and Defendants, through their respective counsel, stipulate and agree as follows:

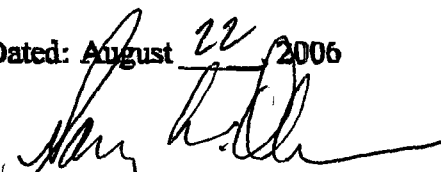
1. The Clerk's Notice of Entry of Default as to all Defendants, filed on August 9, 2006, shall be vacated.

2. Defendants shall have 20 days to file an answer or otherwise respond to the Complaint.

1 Dated: August 22, 2006

Dated: August 22, 2006

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 3 LINDA BALDWIN JONES
 4 WEINBERG, ROGER & ROSENFELD
 5 A Professional Corporation
 6 Attorneys for Plaintiff
 7 LEE LAHTINEN IN HIS CAPACITY AS
 8 TRUSTEE OF THE SAN FRANCISCO
 9 LITHOGRAPHERS PENSION TRUST


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3.

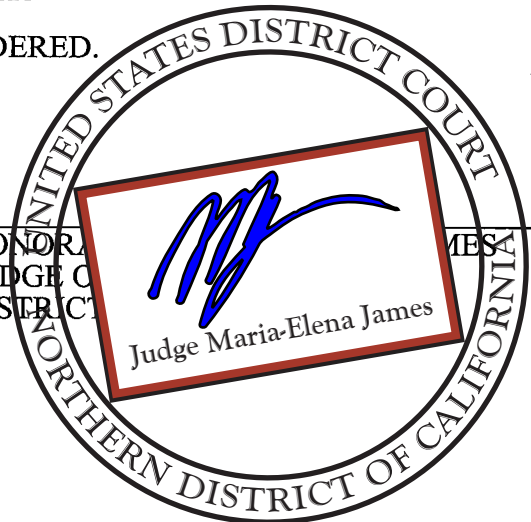
Case No. C 06 4047 (MEJ)

ORDER

Good cause appearing, IT IS SO ORDERED.

Dated: August 28, 2006

HONORABLE
JUDGE OF
DISTRICT COURT



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